

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 152 OF THE SPRING LAKE PARK CITY  
CODE RELATING TO SUBDIVISIONS**

The City Council of the City of Spring Lake Park, Minnesota, ordains as follows:

**Section 1.** Chapter 152.005 of the Spring Lake Park City Code shall be amended as follows

*SUBDIVISION, ADMINISTRATIVE.* A subdivision which results in two (2) or fewer parcels, tracts or lots from one (1) or two (2) existing parcels, tracts or lots.

**Section 2.** Chapter 152 of the Spring Lake Park City Code shall be amended to add the following sections.

Section 1. ADMINISTRATIVE SUBDIVISIONS; QUALIFICATION

The following shall be considered an administrative subdivision:

- (A) *Lot Boundary Line Adjustment.* Divisions of land where the division is to permit the adding of a parcel of land to an abutting lot or the combination of recorded lots to form no more than two (2) lots. Newly created lots shall conform to the design and performance standards of Chapter 152 and Chapter 153 of the City Code.
- (B) *Lot Split.* The simple division of a single parcel, tract or lot to create no more than two (2) lots and the newly created property line will not cause the remaining portion of the lot or any structure to be in violation with Chapter 152 and Chapter 153 of the City Code.
- (C) *Base Lot Subdivision.* In the case of a request to divide a base lot upon which a two-family dwelling or a townhouse, which is part of a recorded plat where the division is to permit individual private ownership of a single dwelling unit within such a structure and the newly created property lines will not cause any of the unit lots or the structure to be in violation of Chapter 152 and Chapter 153 of the City Code.

Section 2. INFORMATION REQUIRED FOR ADMINISTRATIVE SUBDIVISIONS

Whenever any subdivision or land as outlined in Section 1 is proposed, the owner or subdivider shall file an application and secure approval of an administrative subdivision. The Zoning Administrator retains full discretion to mandate that any such application proceed as a formal subdivision application.

The administrative subdivision application shall be considered to be officially filed when the Zoning Administrator has received the application and has determined that the application is complete. The administrative subdivision application will not be deemed complete without evidence of permit approval from the applicable watershed district(s). Administrative subdivisions shall consist of maps and accompanying written documents. The subdivider shall submit one (1) large scale copy, five (5) reduced scale copies (11 inches by 17 inches) and one digital copy in a format accepted by the City with a resolution of 300dpi or greater to include the following information:

- (A) Certificate of survey prepared by a licensed land surveyor, identifying the following:
  - (1) Scale (engineering only) one (1) inch equals one hundred (100) feet.

- (2) Name and address, including telephone number, of legal owner and/or agent of property.
- (3) North point indication
- (4) Existing boundaries of parcel to be platted with dimensions and area and proposed new property lines with dimensions noted.
- (5) Existing legal description/proposed legal description of new lots.
- (6) Easements of record.
- (7) Delineated wetland boundary, to include the ordinary high water level (OHWL) of any lakes or Department of Natural Resources (DNR) waters, 100 year flood elevations.
- (8) All encroachments, easements or rights-of-way encumbering the property.
- (9) Existing buildings, structures and improvements within the parcel to be platted and those one hundred (100) feet outside the boundaries of the subject parcel.
- (10) Locations, widths and names of all public streets or rights-of-way showing type, width and condition of the improvements, if any, which pass through and/or are within one hundred (100) feet.
- (11) Proposed driveway locations and locations of existing driveways on the same side of the road and any applicable driveway maintenance agreements.
- (12) Location of any existing abandoned wells, drainageways, waterways, water courses, lakes and wetlands.

### Section 3. FILING AND REVIEW OF APPLICATION

- (A) The owner or subdivider shall file an administrative subdivision application with all required information and accompanying fee and escrow, as set forth in the City's fee schedule.
- (B) Upon receipt of an application, the Zoning Administrator shall refer copies of the complete administrative subdivision application to City staff and consultants for review and the preparation of a report.
- (C) The Zoning Administrator shall have the authority to request additional information pertinent to the administrative subdivision. Failure to provide the necessary supportive information may be grounds for denial of the request.
- (D) *Decision.* The Zoning Administrator shall reach a decision on the requested administrative subdivision within one hundred twenty (120) days of complete application, unless the applicant agrees to an extension of the review period.
  - (1) The Zoning Administrator may approve the administrative subdivision with conditions that must be met to insure the administrative subdivision is compliant with the regulations set forth in Chapters 152 and 153 of the City Code, as may be amended, and other applicable requirements.
  - (2) The Zoning Administrator shall prepare findings and deny a subdivision if the administrative subdivision fails to comply with regulations of Chapter 152 and Chapter 153 of the City Code, as may be amended, or other applicable requirements
- (E) *Decision Appeal.* The owner or subdivider may appeal an administrative subdivision denial to the City Council. The appeal must be filed within 30 days following the decision of the Zoning Administrator.

### Section 4. RECORDING

If the administrative subdivision is approved by the Zoning Administrator, the administrative subdivision shall then be recorded with the County Recorder by the subdivider at the subdivider's expense and proof of recording shall be provided to the Zoning Administrator. If any irregularity prevents recording of the administrative subdivision, the County Recorder shall notify the owner or subdivider. The administrative subdivision shall be null and void if it is not recorded with the County Recorder within 90 days after the date of approval.

**Section 3. Effective Date.** This Ordinance shall have full force and effect upon its passage and publication.

Passed by the City Council of the City of Spring Lake Park, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Robert Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Daniel R. Buchholtz, City Administrator/Clerk